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10/840,011

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Joseph A. Carbonaro

CARBONARO 1

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DUFT BORNSSEN & FISHMAN, LLP
1526 SPRUCE STREET
SUITE 302
BOULDER, CO 80302

EXAMINER

AU, GARY

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/840,011	Applicant(s) CARBONARO, JOSEPH A.	
	Examiner Gary Au	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2003/0157929 Janssen et al. (Janssen) and further in view of US Patent No. 5,812,651 (Kaplan).

As to claims 1 and 12, Janssen teaches a communication system for serving remote station devices located within a building structure that said system enables said remote station devices positioned within said building structure to make and receive calls over a wireless network using a cell phone, coupled in series signal-wise between said wireless network and said remote station devices (col. 1 lines 11-22), said system comprising: a cell phone base coupled to a first wireless interface (col. 4 lines 57-64); said cell phone base is adapted to be coupled signal-wise to said cell phone (col. 4 lines 57-64); a plurality of remote stations (220 – figure 2, col. 5 lines 15-35); apparatus

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responsive to the receipt of an incoming call from said wireless network for extending said incoming call via said cell phone and first wireless interface of said cell phone base directly to one of said remote station devices (col. 7 lines 26-47). However, Janssen fails to disclose the remote station devices are non-cordless landline stations devices; the plurality of remote station include wireless interfaces; each said remote land-line station device being individual to and coupled to a different one of said remote wireless interfaces and wherein said land-line station device is of the non cordless type and is operable to provide communication service when directly connected to a land-line instead of a wireless interface.

In an analogous art, Kaplan teaches the remote station devices are non-cordless landline stations devices (figure 1, col. 4 line 48 – col. 5 line 4); the plurality of remote station include wireless interfaces (wireless local loop transmitter 12 – figure 1, col. 4 line 48 – col. 5 line 4); each said remote land-line station device being individual to and coupled to a different one of said remote wireless interfaces (col. 4 line 48 - col. 5 line 4, it would be obvious that more than one wireless local loop telephone are present in the system) and wherein said land-line station device is of the non cordless type (wireless local loop telephone 16 – figure 1, col. 4 line 48 - col. 5 line 4) and is operable to provide communication service when directly connected to a land-line instead of a wireless interface (col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include the remote station devices are non-cordless landline stations devices; the plurality of remote station include

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wireless interfaces; each said remote land-line station device being individual to and coupled to a different one of said remote wireless interfaces and wherein said land-line station device is of the non cordless type and is operable to provide communication service when directly connected to a land-line instead of a wireless interface, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claim 8, Janssen teaches in a system having a first wireless interface adapted to coupled to a cell phone (col. 4 lines 57-64), said system further having a plurality of remote telephones located in a building structure (220 – figure 2, col. 5 lines 15-35), said system further comprising: apparatus for receiving indicia of a call request by either said first interface or by one of said remote telephones (col. 6 line 59 – col. 7 line 3); and apparatus that extends said call request to the other of said first wireless interface to establish a call connection between said cell-phone (col. 6 line 59 – col. 7 line 3). However, Janssen fails to disclose a plurality of remote wireless interfaces each of which is adapted to and coupled to an individual one of a plurality of a plurality of remote land-line telephones; wherein said land-line station device is of the non cordless type and is operable to provide communication service when directly connected to a land-line instead of a wireless interface.

In an analogous art, Kaplan teaches a plurality of remote wireless interfaces each of which is adapted to and coupled to an individual one of a plurality of a plurality of non-cordless landline stations devices (col. 4 line 48 - col. 5 line 4, it would be

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obvious that more than one wireless local loop telephone are present in the system); wherein said non-cordless land-line station device is of the non cordless type (wireless local loop telephone 16 – figure 1, col. 4 line 48 - col. 15 line 4) and is operable to provide communication service when directly connected to a land-line instead of a wireless interface (col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include a plurality of remote wireless interfaces each of which is adapted to and coupled to an individual one of a plurality of a plurality of non-cordless landline stations devices; wherein said non-cordless land-line station device is of the non cordless type and is operable to provide communication service when directly connected to a land-line instead of a wireless interface, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claims 2 and 13, Janssen teaches apparatus that monitors said incoming call (col. 7 lines 12-25); and apparatus that detects an on-hook signal at said one remote station device for terminating said call (col. 7 lines 12-25). However, Janssen fails to disclose the said remote station is a remote land-line station device.

In an analogous art, Kaplan teaches the said remote station is a non-cordless landline stations devices (figure 1, col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include the said remote station is a

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remote land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claims 3 and 14, Janssen teaches apparatus responsive to the initiation of an outgoing call by a calling one of said remote station devices for extending said outgoing call and via said first wireless interface of said cell phone base and via said cell phone to a called station served by said remote wireless network (col. 7 lines 26-47). However, Janssen fails to disclose said remote wireless interfaces unique to said calling remote land-line station device.

In an analogous art, Kaplan teaches said remote wireless interfaces unique to said calling non-cordless land-line station device (figure 1, col. 4 line 48 - col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include said remote wireless interfaces unique to said calling non-cordless land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claims 4 and 15, Janssen teaches said at least one remote station device comprises any combination of: computers (col. 4 line 65 - col. 5 line 2). However, Janssen fails to disclose the said remote station is a non-cordless land-line station device.

In an analogous art, Kaplan teaches the said remote station is a non-cordless landline stations devices (figure 1, col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include the said remote station is a remote land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claims 5, 16 and 17, Janssen teaches apparatus that detects an off-hook state of a calling one of said remote land line telephones ([0042]); apparatus that transmits said off-hook signal from said calling remote land line telephone to said cell phone ([0043]); apparatus that activates said cell phone in response to the receipt of said off-hook signal ([0043]); apparatus including said cell phone for receiving a called station number from said calling remote land line station telephone ([0043]); apparatus including said calling remote land line telephone for transmitting said called station number to said cell phone ([0043]); said cell phone being responsive to the receipt of said call station number for initiating the establishment of a call via said wireless network to said called station ([0043]); apparatus for detecting an on-hook state of said called station or of said calling remote land line telephone for transmitting a call end signal to said cell phone ([0044]); said cell phone being responsive to said receipt of said call end signal for ending said call ([0044]). However, Janssen fails to disclose said remote wireless interfaces unique to said calling non-cordless land-line station device.

In an analogous art, Kaplan teaches said remote wireless interfaces unique to said calling non-cordless land-line station device (figure 1, col. 4 line 48 - col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include said remote wireless interfaces unique to said calling non-cordless land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claims 6 and 19, Janssen teaches an apparatus including said cell phone for detecting the receipt of an incoming call from said wireless network ([0045]); apparatus including said cell phone responsive to said detecting for applying a ringing control signal to the wireless interface associated with said cell phone ([0045]); apparatus for transmitting said ringing control signal to said remote land line telephones ([0045]); apparatus responsive to the receipt of said ringing control signal for applying ringing current to said remote land line telephones ([0045]); apparatus for generating an off-hook signal at a responsive one of remote land line telephones ([0045]); said off-hook signal is transmitted to said cell phone via said responsive land line telephone ([0045]); said cell phone being responsive to receipt of said off-hook signal for terminating the generation of said ringing control signal ([0045]); being responsive to the termination of said ringing control signal for termination ringing at said remote land line telephones ([0045]); said cell phone being effective to monitor said incoming call ([0045]); apparatus for detecting an on-hook state of said called station or of said

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responsive remote land line telephone for transmitting a call end signal to said cell phone ([0045]); and said cell phone being responsive to said receipt of said cell end signal for ending said incoming call ([0045]). However, Janssen fails to disclose said remote wireless interfaces unique to said calling non-cordless land-line station device.

In an analogous art, Kaplan teaches said remote wireless interfaces unique to said calling non-cordless land-line station device (figure 1, col. 4 line 48 - col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include said remote wireless interfaces unique to said calling non-cordless land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claim 7, Janssen teaches said land line station devices comprising land line telephones, characterized in that said cell phone is adapted to serve calls between said wireless network and said remote land line telephone only when said cell phone is connected signal-wise to said base unit ([0045]). However, Janssen fails to disclose the said remote station is a non-cordless land-line station device.

In an analogous art, Kaplan teaches the said remote station is a non-cordless landline stations devices (figure 1, col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include the said remote station is a

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remote land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claim 9, Janssen teaches said apparatus for receiving is operable to receive said indicia within said first wireless interface from said cell phone and to extend said call via said remote land line telephone; and said apparatus for receiving is also operable to receive said indicia within said remote land line telephone and to extend said call connection via said first wireless interface to said cell phone ([0045]). However, Janssen fails to disclose said remote wireless interfaces unique to said calling non-cordless land-line station device.

In an analogous art, Kaplan teaches said remote wireless interfaces unique to said calling non-cordless land-line station device (figure 1, col. 4 line 48 - col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include said remote wireless interfaces unique to said calling non-cordless land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claim 10, Janssen teaches the system as described above but fails to teach at least one of said additional wireless interface is integrated into the one of said remote non-cordless land line telephones individual to said wireless interface.

In an analogous art, Kaplan teaches at least one of said additional wireless interface is integrated into the one of said remote non-cordless land line telephones individual to said wireless interface (col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include a non-cordless land line station device each being individual to and coupled to a different one of said wireless interfaces, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claim 18, Janssen teaches an off-hook signal generated by said calling remote land line telephone is transmitted to said cell phone ([0042]); said calling remote land line telephone dials the number of the called station to which call is to be extended ([0043]); said dialed number is transmitted to said cell phone which transmits said dialed number to said wireless network for the establishment of a connection to said called station ([0043]); said cell phone monitors said call unit an on-hook signal is detected at said calling remote land line telephone and/or at said called station ([0044]); and said cell phone is responsive to the detection of said on-hook signal to terminate the call between said calling remote land line telephone and said called station ([0042], [0043] and [0044]). However, Janssen fails to disclose said remote wireless interfaces unique to said calling remote land-line station device.

In an analogous art, Kaplan teaches said remote wireless interfaces unique to said calling remote land-line station device (col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include said remote wireless interfaces unique to said calling remote land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

As to claim 20, Janssen teaches the step of operating said cell phone is effective to serve calls between said wireless network and said remote land line telephones only when said cell phone is connected signal-wise to said base unit to connect said cell phone with said first wireless interface via said base unit (figure 1 – [0027]). However, Janssen fails to disclose said remote wireless interfaces unique to said calling remote land-line station device.

In an analogous art, Kaplan teaches said remote wireless interfaces unique to said calling non-cordless land-line station device (col. 4 line 48 – col. 5 line 4).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Janssen's system to include said remote wireless interfaces unique to said calling non-cordless land-line station device, as taught by Kaplan, for the advantage of emulating a telephone connected to a public switch telephone network (col. 1 lines 12-49).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2003/0157929 Janssen et al. (Janssen) and US Patent No.

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5,812,651 (Kaplan) as applied to claim 8 above, and further in view of US Patent No. 6,775,522 Schornack et al. (Schornack).

As to claim 11, the combined system of Janssen and Kaplan teaches the system as described above. However, the combined system fails to teach a pair of tip and ring conductors.

In an analogous art, Schornack teaches a pair of tip and ring conductors (figure 2, col. 3 lines 62-66).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Janssen and Kaplan to include a pair of tip and ring conductors, as taught by Schornack, for the advantage of adapting to a standard.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Au whose telephone number is (571) 272-2822.

The examiner can normally be reached on 8am-5pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on (571) 272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Gary Au/
Examiner, Art Unit 2617